

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 03-364-A
)	
DANIEL AMOS FRENZEL,)	
)	
Defendant.)	

STATEMENT OF FACTS

Were this case to go to trial, the government would prove beyond a reasonable doubt by competent and admissible evidence the following:

1. From in or about December 23, 2002, through on or about May 7, 2003, within the Eastern District of Virginia, the defendant, DANIEL AMOS FRENZEL, engaged in five robberies of stores and gas stations in Prince William County, Virginia. In four of the five robberies and for purposes of facilitating these robberies, defendant FRENZEL carried, used, and brandished a firearm, specifically, a Ruger, Model Long Rifle, .22-caliber semi-automatic pistol, in violation of 18 U.S.C. § 924(c)(1).

2. Pursuant to a proffer, defendant FRENZEL informed the government that on or about December 23, 2002, defendant FRENZEL planned with Levar McCauley and Jeff (Last Name Unknown) a robbery of a Domino's Pizza store, located at 14120 Lee Highway in Centreville in the Eastern District of Virginia. FRENZEL, McCauley, and Jeff met and discussed how to conduct the robbery. FRENZEL, who had worked at a Domino's Pizza store before, devised a plan to wait for the night manager to leave the building with

bank deposits and to rob him of the deposits outside the store. FRENZEL provided McCauley with a BB gun to use in the robbery.

3. Pursuant to a proffer, defendant FRENZEL informed the government that on or about December 24, 2002, defendant FRENZEL, McCauley, and Jeff robbed the Domino's Pizza store according to their plan. They waited outside the store until the night manager exited with the bank deposits. FRENZEL, McCauley, and Jeff approached the Domino's manager and demanded the bank deposits. McCauley pointed the BB gun at the manager, and the manager handed over the deposits. The manager gave McCauley \$1,600 in cash and \$1,200 in checks. FRENZEL, McCauley, and Jeff ran from the scene. They later divided the money between the three of them.

4. Pursuant to a proffer, defendant FRENZEL informed the government that in or about February 2003, FRENZEL purchased a Ruger, Model Long Rifle, .22-caliber pistol, that constitutes a firearm.

5. On or about March 27, 2003, FRENZEL told McCauley that he needed some money and that he intended to rob a store. FRENZEL directed McCauley to drive him to an Amoco gas station, located at 7206 Centreville Road in Manassas in the Eastern District of Virginia. McCauley drove FRENZEL to the Amoco and parked nearby. While in McCauley's car, FRENZEL covered his face with a bandana, then he exited the car and proceeded toward the station. FRENZEL pulled out his .22-caliber pistol, entered the

store, pointed the firearm at the clerk, and demanded money. The clerk handed FRENZEL \$130 in cash, and Frenzel took a bottle of Coca-Cola worth \$1.19. FRENZEL ran from the store and got back in McCauley's car. FRENZEL told McCauley he had just successfully robbed the store.

6. Immediately after this robbery, on or about March 27, 2003, FRENZEL directed McCauley to drive him to a 7-11 convenience store, located at 10740 Coverstone Drive in Manassas in the Eastern District of Virginia. At the 7-11, FRENZEL covered his face with his bandana, then exited the car and proceeded toward the store. FRENZEL pulled out his pistol, entered the 7-11, pointed his .22-caliber pistol at the clerk, and demanded money. The clerk handed FRENZEL \$200 in cash and FRENZEL took 3 cartons of cigarettes valued at \$72. FRENZEL ran from the store, threw the stolen money on the passenger side floor of McCauley's car, and told McCauley he had successfully robbed the store.

7. Immediately after this robbery, on or about March 27, 2003, FRENZEL directed McCauley to a Mobil gas station, located at 14010 St. Germain Drive in Centreville in the Eastern District of Virginia. At the Mobil station, FRENZEL covered his face with his bandana, then exited the car and proceeded toward the store. FRENZEL pulled out his pistol, entered the gas station, pointed his .22-caliber pistol at the clerk, and demanded money. The clerk handed FRENZEL \$600 in cash. FRENZEL ran from the store,

got in McCauley's car, and told McCauley he had successfully robbed the store. They then drove together back to FRENZEL's mother's house located in Centreville, Virginia. At the house, they went into a bathroom where FRENZEL counted the stolen money and gave McCauley \$500-\$600 for driving him in the robberies.

8. On or about May 7, 2003, FRENZEL, his girlfriend, and McCauley checked into a Super 8 Motel in Manassas, Virginia. While his girlfriend and McCauley slept, FRENZEL left the motel room to rob a nearby gas station. FRENZEL walked to the Battlefield Shell Gas Station located at 7110 Sudley Road in Manassas in the Eastern District of Virginia, and he covered his face with a bandana when he approached the station. FRENZEL entered the store, pointed his .22-caliber pistol at the clerk, and demanded money from him. The clerk handed FRENZEL \$337 in cash, and FRENZEL took five packs of Newport cigarettes, valued at \$15 total, and two packs of Philly Blunts, valued at \$5 total. After robbing the store, FRENZEL ran back to the motel.

9. Each of the stores discussed in this Statement of Facts were engaged, at the time of the robberies, in the sale of products which had been manufactured outside of the Commonwealth of Virginia. The cash and checks FRENZEL stole in each of these robberies would have been used, at least in part, by the stores to purchase items from outside the Commonwealth of Virginia for resale through the stores.

10. FRENZEL carried, used, and brandished his .22-caliber pistol at the store clerks during the robberies of the Amoco Gas Station, 7-11, Mobil Gas Station, and Shell Gas Station to threaten the store clerks so that they would give him money and property which did not belong to him.

11. Defendant FRENZEL did these acts intentionally and unlawfully and not as a result of accident, mistake or other innocent reason.

Respectfully submitted,

Paul J. McNulty
United States Attorney

By: Patrick F. Stokes
Assistant United States Attorney

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States could have proved the same beyond a reasonable doubt.

Daniel Amos Frenzel
Defendant

I am DANIEL AMOS FRENZEL's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

Thaddeus Furlong
Counsel for Defendant